

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

KIMBERLY JACOBS,)	
)	
Plaintiff,)	
)	
vs.)	Case No.:
)	
CASEY'S MARKETING CO.,)	
d/b/a CASEY'S)	
Serve:	The Corporation Company)
	120 S. Central Avenue)
	Clayton, MO 63105)
)	
and)	
)	
CASEY'S SERVICES COMPANY,)	
d/b/a CASEY'S)	
Serve:	The Corporation Company)
	120 S. Central Avenue)
	Clayton, MO 63105)
)	
Defendants.)	JURY TRIAL REQUESTED

COMPLAINT

PLAINTIFF KIMBERLY JACOBS, by and through her undersigned counsel, brings the following as her cause of action against DEFENDANTS CASEY'S MARKETING CO. and CASEY'S SERVICES COMPANY (collectively, "Defendants")

1. Plaintiff is a resident of Grain Valley, Missouri.
2. Defendant Casey's Marketing Company is an Iowa Corporation registered as a foreign corporation in the state of Missouri doing business as Casey's that is a fifty percent owner and operates the Casey's located at 101 Front Street, La Monte, MO 65337 ("Casey's").
3. Defendant Casey's Services Company is an Iowa Corporation registered as a foreign corporation in the state of Missouri doing business as Casey's that is a fifty percent

owner and operates the Casey's located at 101 Front Street, La Monte, MO 65337.

4. Jurisdiction is proper pursuant to 28 U.S.C. §1332 because there is diversity of citizenship between Plaintiff and each of the Defendants, and the amount claimed for by Plaintiff is more than \$75,000.00.

5. On October 28, 2021, at approximately 5:30 p.m., Plaintiff entered the Casey's.

6. While walking inside the Casey's, Plaintiff slipped and fell on a wet, slippery liquid, most likely water, on the floor inside the Casey's entrance.

7. Plaintiff fell onto the hard floor surface injuring her left knee.

8. Plaintiff suffered, and continues to suffer, pain and discomfort to her left knee, and was required to seek and incur medical care and expenses as a result. Additionally, Plaintiff had to miss employment as a result of this incident.

COUNT I: NEGLIGENCE

9. Plaintiff incorporates the above paragraphs as though fully set forth herein.

10. The floor of the Casey's was not reasonably safe as it had a wet, slippery liquid believed to be water on it.

11. Defendants knew or by using ordinary care could have known of this condition.

12. Defendants failed to use ordinary care to remove, barricade or warn of this dangerous condition prior to Plaintiff slipping and falling on the floor.

13. As a direct result of such failures, Plaintiff sustained damage.

14. Plaintiff has made demand upon Defendants for payment of such losses and all such demands have been refused by Defendants or remain otherwise unsatisfied.

WHEREFORE, Plaintiff prays for a money judgment in excess of \$75,000.00 against

Defendants to compensate her for the damages she has incurred as a result of Defendants' negligence, for costs incurred herein, and for such other relief as the Court deems just and proper.

Respectfully submitted,

/s/ Gary C. Haggerty
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